

JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

BRIAN J. STRETCH (CSBN 163973)  
Chief, Criminal Division

PATRICIA J. KENNEY (CSBN 130238)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, CA 94102  
Telephone: 415.436.6857  
Facsimile: 415.436.6748  
Email: patricia.kenney@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

REAL PROPERTY AND IMPROVEMENTS  
LOCATED AT 636 SAN PABLO AVENUE,  
ALBANY, CALIFORNIA, AND  
REAL PROPERTY AND IMPROVEMENTS  
LOCATED AT 3959 COWAN ROAD,  
LAFAYETTE, CALIFORNIA,

Defendants.

WINSLOW NORTON, ABRAHAM  
NORTON AND BAYVIEW LOAN  
SERVICING LLC,

Claimants.

No. 07-4432 MMC

STIPULATION AND ORDER DISMISSING  
DEFENDANT 3959 COWAN ROAD,  
LAFAYETTE, CALIFORNIA  
PURSUANT TO RULE 41(a)(2)

United States of America is plaintiff. Defendants are Real Property and Improvements  
Located at 3959 Cowan Road, Lafayette, California ("defendant 3959 Cowan Road") and Real  
Property and Improvements located at 636 San Pablo Avenue, Albany California ("defendant 636

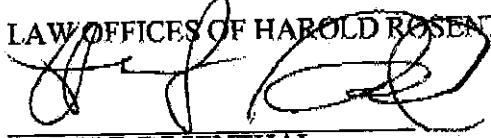
San Pablo Avenue"). Claimants Winslow Norton and Abraham Norton filed a claim and an answer as to both defendants in order to appear in this action. Bayview Loan Servicing LLC filed a claim and an answer only in connection with defendant 636 San Pablo Avenue.

This stipulation of dismissal pertains only to defendant 3959 Cowan Road. Counsel for the United States and counsel for Abraham Norton and Winslow Norton, Harold Rosenthal, agree, subject to the Court's approval, that this action be and hereby is DISMISSED as against defendant 3959 Cowan Road pursuant to Rule 41(a)(2), Federal Rules of Civil Procedure, with each party is to bear his or its own attorneys' fees and costs.

IT IS SO STIPULATED:

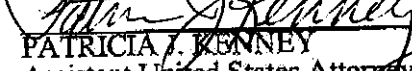
Dated: December 22, 2008

LAW OFFICES OF HAROLD ROSENTHAL

By:   
HAROLD ROSENTHAL  
Attorneys for claimants Winslow Norton  
and Abraham Norton

JOSEPH P. RUSSONIELLO  
United States Attorney

Dated: December 22, 2008

By:   
PATRICIA J. KENNEY  
Assistant United States Attorney  
Attorneys for the United States

UPON CONSIDERATION OF THE FOREGOING, IT IS BY THE COURT ON THIS 24th DAY OF December 2008, ORDERED THAT THE CASE BE, AND HEREBY IS, DISMISSED AGAINST DEFENDANT 3959 COWAN ROAD, LAFAYETTE, CALIFORNIA, PURSUANT TO RULE 41(a)(2), FEDERAL RULES OF CIVIL PROCEDURE, WITH EACH PART TO BEAR HIS OR ITS OWN ATTORNEYS' FEES AND COSTS.

  
HONORABLE MAXINE M. CHESNEY  
United States District Judge

Stip & Order of Dismissal of  
Defendant 3959 Cowan Road  
No. 07-4432 MMC